



Paper No.

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OFFICE OF PETITIONS

ON PETITION

In re Application of
Ulrich Fiebag et al
Application No. 10/044,165
Filed: October 26, 2001
Attorney Docket No. KPG-5039US

This is a decision on the petition, filed February 9, 2004, under 37 CFR 1.313(c) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED**.

37 CFR 1.313(c) provides that:

Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

(1) Unpatentability of one of more claims, which petition must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;

(2) Consideration of a submission pursuant to 37 CFR 1.114; or

(3) Express abandonment of the application. Such express abandonment may be in favor of a continuing application.

See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865, 14873 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47, 54 (Apr. 11, 2000).

The instant petition is not accompanied by: (2) the required Request for Continued Examination (RCE) to consider the IDS submitted with the instant petition. See 37 CFR 1.313(c)(2).

A response to this decision must be filed within **ONE MONTH** from the mail date of this letter.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By facsimile: (703) 872-9306
Attn: Office of Petitions

By hand: Crystal Plaza Four, Suite 3C23
2201 South Clark Place
Arlington, VA 22202

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-8859.

A handwritten signature in cursive script that reads "Karen Creasy".

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/044,165
Applicant: FIEBAG et al
Filed: October 26, 2001
Title: METHOD AND APPARATUS FOR REFRESHMENT AND REUSE OF LOADED DEVELOPER
TC/A.U.: 1752
Examiner: Hoa Van Le
Issue Fee Paid: January 6, 2004
Issue Date: Not Assigned

PETITION TO WITHDRAW APPLICATION FROM ISSUE 37 C.F.R. § 1.313(c)

Mail Stop 313 (c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

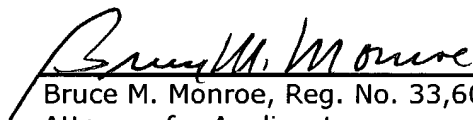
Sir:

The applicant hereby petition, pursuant to 37 C.F.R. § 1.313, to withdraw the above-identified patent application from issue.

The issue fee for this application was paid on January 6, 2004. The issue date has not yet been assigned.

The reason for this request for withdrawal from issue is for consideration of an IDS. A check for \$130.00, the fee under 37 C.F.R § 1.17(i), is submitted herewith.

Respectfully submitted,


Bruce M. Monroe, Reg. No. 33,602
Attorney for Applicant

BMM:ea

Dated: February 6, 2004

P.O. Box 1596
Wilmington, DE 19899
(302) 778-2500

Enclosures: Information Disclosure Statement
PTO Form 1449
(5) References
Transmittal Form

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 6, 2004

Big Ashton